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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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AZ CORP COMMISSION
DOCKET CONTROL

GARY PIERCE – Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

SEP 7 2011

DOCKETED BY

[Signature]

IN THE MATTER OF THE COMMISSION ON
ITS OWN MOTION INVESTIGATING THE
FAILURE OF TRUXTON CANYON WATER
COMPANY TO COMPLY WITH
COMMISSION RULES AND REGULATIONS.

DOCKET NO. W-02168A-10-0247

PROCEDURAL ORDER
RESCHEDULING
PROCEDURAL
CONFERENCE

BY THE COMMISSION:

On June 16, 2011, Truxton Canyon Water Company (“Truxton”) timely filed an application for reconsideration of Arizona Corporation Commission (“Commission”) Decision No. 72386.

On June 24, 2011, the Commission granted rehearing of Decision No. 72386 for the purpose of further consideration.

At its August 16, 2011 Open Meeting, the Commission further considered these matters and heard comments from the parties concerning rehearing of Decision No. 72386. The Commission found and concluded that rehearing should be granted for Decision No. 72386.

On August 24, 2011, the Commission issued Decision No. 72548 directing the Hearing Division to conduct appropriate proceedings for rehearing and to prepare a Recommended Opinion and Order for the Commission’s consideration.

On August 29, 2011, a Procedural Order was issued setting a procedural conference to commence on September 9, 2011.

On September 1, 2011, counsel for Truxton filed a Motion to Reschedule the Procedural Conference (“Motion”). The Motion states that counsel for Truxton has a scheduling conflict which requires counsel to appear in Superior Court at the same time as the procedural conference scheduled in this matter. The Motion further states that based upon the availability of all attorneys involved in the above-captioned case, Truxton requests that the procedural conference be rescheduled for

1 September 16, 2011.

2 Accordingly, the procedural conference in this matter should be rescheduled.

3 IT IS THEREFORE ORDERED that a **Procedural Conference** currently scheduled for
4 September 9, 2011 shall be rescheduled for **September 16, 2011, at 10:00 a.m.**, or as soon thereafter
5 as is practicable, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix,
6 Arizona 85007.

7 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
8 Communications) applies to this proceeding.

9 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
10 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
11 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
12 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter
13 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
14 the Administrative Law Judge or the Commission.

15 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
16 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
17 hearing.

18 DATED this 7th day of September, 2011.

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20
21 
22 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed/delivered
24 this 7th day of September, 2011 to:

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26 Mike Neal
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By:


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